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April 21, 2008

VIA FACSIMILE TO 914-390-4085

Hon. Charles L. Brieant  
United States District Court  
300 Quarropas Street  
White Plains, NY 10601-4150

Re: John E. Andrus Memorial, Inc. v. Daines, S.D.N.Y. 3432 CV 2007 (CLB)(KNF)

Dear Judge Brieant:

This office represents the defendant in the above captioned action. On March 28, 2008, the Court granted plaintiff's request to file a motion for a preliminary injunction. The Court further ordered a conference for April 25, 2008 at 11 a.m. to consider issues related to plaintiff's motion, with defendant's opposition to the motion to be served before that conference. This letter is sent to request a one week adjournment, to May 2, 2008, of the April 25th conference. Defendants still are prepared to file their opposition on or before March 25th. However, subsequent to the March 28th court conference, the physical condition of my parents, both in the 90's, has significantly deteriorated. Their doctors have recommended that they be moved, as soon as possible, to an Extended Congregate Care facility. That move is scheduled for April 28th and I am flying down to Florida on April 25th to assist in the move. Within the Attorney General's office, I am the attorney with the greatest knowledge of proceedings in this action, which also is why I am requesting the adjournment. Plaintiff's counsel has not consented to this adjournment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John P. Gasior".

John P. Gasior

cc: Brian T. McGovern, Esq. via Facsimile to 212-504-6666